

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRENT BAILEY,

Defendant.

4:12-CR-3034

MEMORANDUM AND ORDER

Currently before the Court are several *pro se* submissions from defendant Brent Bailey, including various motions and a new notice of appeal of his September 2012 conviction. For the reasons discussed below, the Court finds that Bailey's latest appeal is frivolous and not brought in good faith, and Bailey's motions will either be denied or denied as moot.

I. BACKGROUND

In September 2012, the Court sentenced Bailey to 156 months' imprisonment after he pleaded guilty to receipt or distribution of child pornography in violation of 18 U.S.C. § 2252A(a)(2). *See* filing 44. Over a year later, in October 2013, Bailey filed a motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255, which the Court denied in an order and judgment dated December 19, 2013. *See* filings 50, 53, 55, and 56.

In July 2014, Bailey filed an untimely notice of appeal, accompanied by several motions, including a request to proceed in forma pauperis. *See* filings 58, 59, 60, and 61. Bailey was not appealing the Court's denial of his § 2255 motion, but his original 2012 conviction. *See* filing 63 at 1. On September 16, 2014, the Court entered an order finding that Bailey's appeal was frivolous and not brought in good faith, and denying Bailey's request to proceed in forma pauperis. *See* filing 63. On February 2, 2015, the Court of Appeals for the Eighth Circuit dismissed Bailey's appeal as untimely and denied his motion to proceed in forma pauperis as moot. *See* filing 72.

II. ANALYSIS

A. Motion to Disqualify

The Court will begin with Bailey's Motion to Disqualify. Filing 80. Bailey asserts that the undersigned judge should recuse himself from this

case. The procedure to disqualify a judge for bias or prejudice is set forth in 28 U.S.C. § 144.

Whenever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding.

28 U.S.C. § 144 (emphasis supplied).

Leaving aside the issue of timeliness, Bailey's submission is legally insufficient. First, the general basis of Bailey's argument is that he disagrees with the Court's rulings. But "judicial rulings alone almost never constitute a valid basis for a bias or partiality motion." *Liteky v. United States*, 510 U.S. 540, 555 (1994). Bailey's motion does not prove the exception to this rule. Second, Bailey has not submitted a properly sworn affidavit. Bailey's purported affidavit contains a space for a notary's seal, which is blank. Nor does the statement substantially comply with the requirements of 28 U.S.C. § 1746, which permits unsworn declarations to substitute for an affiant's oath if the statement contained therein is made under penalty of perjury and verified as true and correct. See, *In re World Trade Center Disaster Site Litig.*, 722 F.3d 483, 488 (2d Cir. 2013); *Nissho-Iwai Am. Corp. v. Kline*, 845 F.2d 1300, 1306 (5th Cir. 1988). An affidavit must strictly comply with all of the statutory requirements before it will effectively disqualify a judge. *In re Medlock*, 406 F.3d 1066, 1073 (8th Cir. 2005). Bailey's affidavit does not satisfy this standard, and his Motion to Disqualify will be denied.

B. Notice of Appeal and Related Filings

In connection with his latest notice of appeal, Bailey has filed a Motion to Extend Time to File Notice of Appeal (filing 85) and an accompanying affidavit; (filing 75); a Renewed Motion for Leave to Appeal As Pauper (filing 83); a Motion for Release Pending Appeal (filing 78); and a Motion to Appoint Counsel (filing 84).

In his Motion to Extend Time to File Notice of Appeal, Bailey asks that the time to appeal be extended to November 29, 2015. Filing 85 at 2. Pursuant to Fed. R. App. P. 4(b), a criminal defendant's notice of appeal must be filed within 14 days of the entry of judgment. The Court may extend this deadline by an additional 30 days upon a finding of excusable neglect or good cause. Fed. R. App. P. 4(b)(4). Bailey maintains that he is appealing the original judgment in this case, which was entered on September 20, 2012.

See, filing 44; filing 85 at 2. His notice of appeal was therefore due in October 2012. Bailey's request for an extension is years late, and no extension is possible.

Nor, lack of timeliness aside, is an extension warranted. Bailey asserts that he was unable to comply with the deadline because he was unable to contact his attorney. Filing 85 at 3. In his accompanying affidavit, Bailey claims that he attempted to contact his attorney many times but was "unable to establish contact in spite of [his] attempts that went above and beyond the call of due diligence on [his] part." Filing 75. Bailey has not shown good cause or excusable neglect. First, Bailey's affidavit and motion are neither properly sworn nor notarized. Second, Bailey has not explained why he could not have brought this matter to the Court's attention at an earlier time—for example, within one of his many previous motions. The Court will therefore deny Bailey's request for an extension.

The Court will also deny Bailey's Renewed Motion for Leave to Appeal As Pauper (filing 83). A litigant seeking to appeal a judgment must either pay the required filing fees, see Fed. R. App. P. 3(e), or proceed in forma pauperis. Because Bailey was previously found to be eligible for appointment of counsel, he would normally be allowed to proceed on appeal in forma pauperis without further authorization. Fed. R. App. P. 24(a)(3). But an appeal may not be taken in forma pauperis if the trial court certifies in writing that the appeal is not taken in good faith. 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3)(A).

An appellant demonstrates good faith by seeking appellate review of any issue that is not frivolous. *Coppedge v. United States*, 369 U.S. 438, 445 (1962); *Ellis v. United States*, 356 U.S. 674, 674 (1958). An indigent appellant should be allowed to proceed in forma pauperis unless the issues raised are so frivolous that the appeal would be dismissed in the case of a non-indigent litigant. *Coppedge*, 369 U.S. at 447; *Ellis*, 356 U.S. at 675. An appeal is frivolous where none of the legal points are arguable on their merits—when the result is obvious or the appellant's argument is wholly without merit. See, *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *Misischia v. St. John's Mercy Health Sys.*, 457 F.3d 800, 806 (8th Cir. 2006).

The Court has already found that Bailey's previous appeal was frivolous and not brought in good faith. See filing 63. Nothing has changed to improve Bailey's grounds for appeal. The Court therefore finds that Bailey's appeal is frivolous and is not taken in good faith, and his motion to proceed in forma pauperis will be denied. As a result, Bailey's Motion to Appoint Counsel and Motion for Release Pending Appeal will be denied as moot. Filings 78 and 84.

C. Motion for Transcript

Bailey has requested that a transcript of the proceedings in this case be prepared, and asks that the United States be ordered to pay for such transcript pursuant to the Criminal Justice Act. Filing 88. However, the United States is only obligated to pay for such fees when the defendant has been allowed to proceed on appeal in forma pauperis. See 28 U.S.C. § 753(f). Bailey will not be allowed to proceed in forma pauperis, and his request for a free transcript will be denied.

D. Miscellaneous Pretrial Motions

Bailey has also filed a number of motions relating to pretrial matters, such as a motion to suppress and a request for a mental examination. See filings 74, 76, 77, 79, 86, and 90. However, the time for filing pretrial motions has passed. Judgment and sentence have been entered in this case. All of these motions will, accordingly, be denied as moot. Bailey has also filed a Motion for Return of Seized Property and For Suppression of Evidence. Filing 87. To the extent this submission is a motion to suppress, it is likewise denied as moot. To the extent it is a motion for the return of property, Bailey has failed to specify the property he wants returned, and to that extent, the motion is denied.

E. Recent Correspondence from Bailey

Finally, the Court has recently received a letter from Bailey inquiring as to the status of his filings and requesting a copy of the docket sheet. This Memorandum and Order has disposed of all of Bailey's pending motions. The Court will enclose a copy of the docket sheet. Bailey is advised, however, that further such requests are not likely to be granted—a criminal defendant does not have a right to obtain copies of court filings without payment.

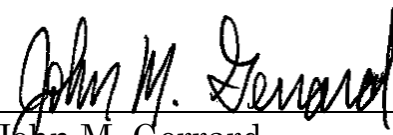
THEREFORE, IT IS ORDERED:

1. Bailey's Motion to Disqualify (filing 80) is denied.
2. Bailey's Motion to Extend Time to File Notice of Appeal (filing 85) is denied.
3. The Court finds that Bailey is not entitled to proceed in forma pauperis on appeal. Bailey's Renewed Motion for Leave to Appeal As Pauper (filing 83) is denied.
4. Bailey's request for a transcript (filing 88) is denied.

5. Bailey's Motion for Return of Seized Property and For Suppression of Evidence (filing 87) is denied as moot in part and denied in part, as set forth above.
6. Bailey's remaining motions (filings 74, 76, 77, 78, 79, 84, 86, and 90) are denied as moot.
7. The Clerk of the Court is directed to forward a copy of this Memorandum and Order to the Court of Appeals for the Eighth Circuit, and to mail a copy to the defendant at his address of record.

Dated this 22nd day of June, 2015.

BY THE COURT:



John M. Gerrard
United States District Judge

APPEAL,CLOSED,CUSTODY,STAT-2255,TRIAL-LINCOLN
U.S. District Court
District of Nebraska (4 Lincoln)
CRIMINAL DOCKET FOR CASE #: 4:12-cr-03034-JMG-CRZ-1
Internal Use Only

Case title: USA v. Bailey
Other court case numbers: 14-3129 USCA-8th Circuit
4:13cv3180 USDC-NE

Date Filed: 03/20/2012
Date Terminated: 09/20/2012

Assigned to: Judge John M. Gerrard
Referred to: Magistrate Judge Cheryl
R. Zwart

Defendant (1)

Brent Bailey
TERMINATED: 09/20/2012

represented by **Brent Bailey**
24713-047
FCI-PETERSBURG LOW
Address Updated 11/1/2013
Inmate Mail/Parcels
P.O. Box 1000
Petersburg, VA 23804
PRO SE

Michael J. Hansen
FEDERAL PUBLIC DEFENDER'S OFFICE –
OMAHA
222 South 15th Street
Suite 300N, One Central Park Plaza
Omaha, NE 68102
(402) 221-7896
Email: mike_hansen@fd.org
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

18:2252A(a)(2)RECEIPT OF CHILD
PORNOGRAPHY
(1)

Disposition

Defendant pleaded guilty to count I of the
Indictment and is committed to the custody of
the United States Bureau of Prisons to be
imprisoned for a term of one hundred fifty-six
(156) months; supervised release with special
conditions for a term of life; \$100.00 special
assessment

Highest Offense Level (Opening)

Felony

Terminated Counts

18:2252(a)(4)(B)POSSESSION OF
CHILD PORNOGRAPHY
(2)

Disposition

Count II of the Indictment is dismissed on the
motion of the United States as to this defendant
only

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition**Plaintiff**

USA

represented by **Steven A. Russell**
 U.S. ATTORNEY'S OFFICE – LINCOLN
 100 Centennial Mall North
 Suite 487, Federal Building
 Lincoln, NE 68508–3865
 (402) 437–5241
 Fax: (402) 437–5390
 Email: steve.russell@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/20/2012	<u>1</u>	INDICTMENT with foreperson's signature redacted pursuant to the E–Government Act as to defendant Brent Bailey. PART 1 OF 2 (ADB) (Entered: 03/21/2012)
03/20/2012	<u>2</u>	PART 2 OF 2 – FOREPERSON'S SIGNATURE PAGE regarding Indictment <u>1</u> as to defendant Brent Bailey. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(e). ALL COUNSEL OF RECORD IN MULTI–DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (ADB) (Entered: 03/21/2012)
03/20/2012	<u>3</u>	CRIMINAL COVER SHEET as to defendant Brent Bailey. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E–GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI–DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (ADB) (Entered: 03/21/2012)
03/20/2012	<u>4</u>	*SEALED* ARREST WARRANT ISSUED (COPY) in case as to defendant Brent Bailey. THIS DOCKET ENTRY AND PDF DOCUMENT ARE SEALED PURSUANT TO AN ORDER OF THE COURT AND/OR LEGAL AUTHORITY GOVERNING SEALED FILINGS. ACCESS IS LIMITED ONLY TO THE COURT. (ADB,) (Entered: 03/21/2012)
03/20/2012		Remark – Public: Case filed under seal on 3/20/12 and unsealed on 3/23/12 pursuant to memorandum as to defendant Brent Bailey. (ADB) (Entered: 03/23/2012)
03/22/2012	<u>5</u>	TEXT ORDER SETTING HEARING as to defendant Brent Bailey. Initial Appearance set for 3/23/2012 at 02:30 PM in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. Ordered by Magistrate Judge Cheryl R. Zwart. (DMS) (Entered: 03/22/2012)
03/22/2012	<u>6</u>	NOTICE (MEMORANDUM) TO UNSEAL CASE by Attorney Steven A. Russell as to defendant Brent Bailey. (ADB) (Entered: 03/23/2012)
03/23/2012	<u>7</u>	MOTION for Writ of Habeas Corpus Ad Prosequendum by Attorney Steven A. Russell as to defendant(s) Brent Bailey. (Russell, Steven) (Entered: 03/23/2012)
03/23/2012	<u>8</u>	ORDER granting <u>7</u> Motion for Writ of Habeas Corpus ad prosequendum as to Brent Bailey. Ordered by Magistrate Judge Cheryl R. Zwart. (E–mailed to Marshal by CRZ)(CRZ) (Entered: 03/23/2012)
03/23/2012		(Court only) *** Attorney Michael J. Hansen for Brent Bailey added pursuant to e–mail from Karen Burks. (JAB) (Entered: 03/23/2012)
03/23/2012	<u>9</u>	TEXT MINUTE ENTRY for proceedings held before Magistrate Judge Cheryl R. Zwart in Lincoln on 3/23/2012 as to defendant Brent Bailey. Initial Appearance on Indictment held. Appointment of counsel requested, Court appoints Federal Public

		defender to represent defendant. Arraignment on Indictment held. Not guilty plea entered. Government's oral motion for detention is granted. Defendant is not contesting detention at this time. Trial set 5/29/2012 before Judge Gerrard. Pretrial motions to be filed by 4/23/2012. Counsel to comply with local rules regarding discovery. Progression order to be issued. Defendant remanded to the custody of the U.S. Marshal to be returned to state court pending further order of the court. Courtroom Deputy: Jeri A. Bierbower. Reporter: Digital Recorder. Appearance for Plaintiff: Steve Russell; For Defendant: Mike Hansen, FPD. No interpreter used during hearing. Time Start: 2:40 PM; Time Stop: 2:47 PM; Time in Court: 7 Minutes. (JAB) (Entered: 03/23/2012)
03/23/2012	<u>10</u>	AUDIO FILE. Audio as to Defendant (1) Brent Bailey. Court Date & Time [03/23/2012 2:40:46 PM]. File Size [1346 KB]. Run Time [00:05:36]. (Initial Appearance hearing). (auto-docket). (Entered: 03/23/2012)
03/23/2012	<u>11</u>	*SEALED* SEALED CJA 23 Financial Affidavit by Brent Bailey. THIS DOCKET ENTRY AND PDF DOCUMENT ARE SEALED PURSUANT TO AN ORDER OF THE COURT AND/OR LEGAL AUTHORITY GOVERNING SEALED FILINGS. ACCESS IS LIMITED ONLY TO THE COURT. (JAB) (Entered: 03/23/2012)
03/23/2012	<u>12</u>	ORDER APPOINTING COUNSEL as to defendant Brent Bailey. The Federal Public Defender for the District of Nebraska is appointed to represent the above named defendant in this matter. Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 03/23/2012)
03/23/2012	<u>13</u>	ORDER of Detention pending trial as to defendant Brent Bailey. Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 03/23/2012)
03/23/2012	<u>14</u>	NOTICE OF ATTORNEY APPEARANCE by Attorney Michael J. Hansen as to defendant(s) Brent Bailey. (Hansen, Michael) (Entered: 03/23/2012)
03/23/2012	<u>15</u>	ORDER FOR PROGRESSION OF A CRIMINAL CASE as to defendant Brent Bailey: a) Rule 16 discovery due within 14 days. b) Pretrial Motion Deadline set for 4/23/2012 . c) 4-day Jury Trial set for 5/29/2012 at 09:00 AM in Courtroom 1 , Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 03/23/2012)
03/23/2012	<u>17</u>	ARREST WARRANT RETURNED EXECUTED in case as to defendant Brent Bailey. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (SLP) (Entered: 03/26/2012)
03/23/2012		(Court only) ***Arrest on 3/23/2012 as to defendant Brent Bailey. (SLP) (Entered: 03/26/2012)
03/23/2012	<u>18</u>	AMENDED ORDER granting <u>7</u> Motion for Writ of Habeas Corpus ad prosequendum as to defendant Brent Bailey. Ordered by Magistrate Judge Cheryl R. Zwart. (E-mailed to Marshal)(JAB) (Entered: 03/26/2012)
03/26/2012	<u>16</u>	*SEALED* SEALED PRETRIAL SERVICES REPORT as to defendant Brent Bailey. THIS DOCKET ENTRY AND PDF DOCUMENT ARE SEALED PURSUANT TO AN ORDER OF THE COURT AND/OR LEGAL AUTHORITY GOVERNING SEALED FILINGS. ACCESS IS LIMITED ONLY TO THE COURT. (Bare, Mindy) (Modified on 3/26/2012 to attach: # <u>1</u> Supplement) (JAB) (Entered: 03/26/2012)
04/05/2012	<u>19</u>	NOTICE of Compliance of Local Criminal Rule 16.1(a) by Attorney Steven A. Russell as to defendant(s) Brent Bailey. (Russell, Steven) (Entered: 04/05/2012)
05/21/2012	<u>20</u>	ORDER SETTING CHANGE OF PLEA HEARING as to defendant Brent Bailey. The defendant's request to set a change of plea hearing is granted. This case, insofar as it concerns this defendant, is removed from the trial docket based upon the request of the defendant. Change of Plea Hearing set for 6/21/2012 02:30 PM in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before

		Magistrate Judge Cheryl R. Zwart. The time between today's date and the hearing on the anticipated plea of guilty is excluded for purposes of computing the limits under the Speedy Trial Act. See 18 U.S.C. 3161(h)(7). Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 05/21/2012)
06/21/2012	<u>21</u>	TEXT MINUTE ENTRY for proceedings held before Magistrate Judge Cheryl R. Zwart in Lincoln on 6/21/2012 as to defendant Brent Bailey. Defendant's oral consent to proceed before Magistrate Judge accepted. Defendant arraigned on Indictment. Change of Plea Hearing held. Defendant withdraws plea of not guilty and enters a Guilty plea to Count I of the Indictment. The government will ask the Court to dismiss Court II at sentencing. Plea is found to be knowing, intelligent, voluntarily entered into and that there is a factual basis for it. Recommended that the plea be accepted at or before sentencing. There is no plea agreement in this case. Sentencing is scheduled for September 17, 2012 at 11:00 a.m. before Judge Gerrard. Defendant remanded to the custody of the U.S. Marshal. Written Findings and Recommendation will be issued. Courtroom Deputy: Debby Schwab. Reporter: Digital Recorder. Appearance for Plaintiff: Steve Russell; For Defendant: Michael Hansen, FPD. No interpreter used during hearing. Time Start: 2:35 PM; Time Stop: 2:56 PM; Time in Court: 21 Minutes. (DMS) (Entered: 06/21/2012)
06/21/2012	<u>22</u>	AUDIO FILE. Audio as to Defendant (1) Brent Bailey. Court Date & Time [06/21/2012 2:35:37 PM]. File Size [5040 KB]. Run Time [00:21:00]. (Change of Plea). (auto-docket). (Entered: 06/21/2012)
06/21/2012	<u>23</u>	PETITION to enter plea of guilty as to defendant Brent Bailey. (DMS) (Entered: 06/21/2012)
06/21/2012	<u>24</u>	FINDINGS AND RECOMMENDATION ON PLEA OF GUILTY to United States District Judge John M. Gerrard that after de novo review, he accept the guilty plea and find the defendant guilty of the crime(s) to which the defendant tendered a guilty plea and if any party desires to object to the findings and recommendation, they shall do so no later than 14 calendar days following the date of the filing of the plea transcript as to defendant Brent Bailey. Ordered by Magistrate Judge Cheryl R. Zwart. (DMS) (Entered: 06/21/2012)
06/21/2012	<u>25</u>	ORDER ON SENTENCING SCHEDULE as to defendant Brent Bailey. Sentencing set for 9/17/2012 11:00 AM in Courtroom 1 , Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Magistrate Judge Cheryl R. Zwart. (DMS) (Entered: 06/21/2012)
06/22/2012	<u>26</u>	LETTER BY CLERK that a CD was sent to Rogene Schroder for transcription Transcript ordered by Magistrate Judge Cheryl R. Zwart as to defendant(s) Brent Bailey. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (GMC) (Entered: 06/22/2012)
07/06/2012	<u>27</u>	TRANSCRIPT (UNREDACTED) of Plea Proceedings before Magistrate Judge Cheryl R. Zwart held on June 21, 2012, as to defendant Brent Bailey. Total Number of Billable Pages: 21. Total Number of Pages: 21. The transcript may be viewed at the courts public terminal or purchased through Transcriber Rogene S. Schroder at (402) 661-7383 before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Click here to view the Transcript Redaction Procedure . ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. Redaction Request due 7/27/2012. Redacted Transcript Deadline set for 8/6/2012. Release of Transcript Restriction set for 10/4/2012. (RSS) (Entered: 07/06/2012)
07/24/2012	<u>28</u>	MEMORANDUM AND ORDER adopting <u>24</u> Findings and Recommendations on Plea of Guilty. The defendant is found guilty. The plea is accepted. Acceptance of the plea agreement is deferred until sentencing as to Brent Bailey (1). Ordered by Judge

		John M. Gerrard. (JSF) (Entered: 07/25/2012)
07/30/2012		(Court only) ***Terminate Redaction Request and Redacted Transcript Deadlines for Transcript <u>27</u> as to defendant Brent Bailey. (JAB) (Entered: 07/30/2012)
07/31/2012	<u>29</u>	MOTION for Preliminary Forfeiture by Attorney Nancy A. Svoboda as to defendant(s) Brent Bailey. (Svoboda, Nancy) (Entered: 07/31/2012)
07/31/2012	<u>30</u>	ORDER granting <u>29</u> Motion for Preliminary Forfeiture as to Brent Bailey (1). Ordered by Judge John M. Gerrard. (1 Certified copy to USM)(JAB) (Entered: 07/31/2012)
08/30/2012	<u>31</u>	MOTION to Restrict pursuant to the E-Government Act by Attorney Michael J. Hansen as to defendant(s) Brent Bailey. (Hansen, Michael) (Entered: 08/30/2012)
08/30/2012	<u>32</u>	ADOPTION of Presentence Investigation Report by Attorney Michael J. Hansen as to defendant(s) Brent Bailey. (Hansen, Michael) (Entered: 08/30/2012)
08/30/2012	<u>33</u>	RESTRICTED MOTION regarding MOTION to Restrict pursuant to the E-Government Act <u>31</u> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. – by Attorney Michael J. Hansen as to defendant(s) Brent Bailey. (Hansen, Michael) (Entered: 08/30/2012)
08/30/2012	<u>34</u>	RESTRICTED DOCUMENT regarding RESTRICTED MOTION regarding MOTION to Restrict pursuant to the E-Government Act <u>31</u> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCED <u>33</u> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. – by Attorney Michael J. Hansen as to defendant(s) Brent Bailey. (Hansen, Michael) (Entered: 08/30/2012)
08/30/2012		(Court only) ***Motions No Longer Referred RESTRICTED MOTION regarding MOTION to Restrict pursuant to the E-Government Act <u>31</u> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCED <u>33</u> , MOTION to Restrict pursuant to the E-Government Act <u>31</u> as to defendant(s) Brent Bailey (Zwart, Cheryl) (Entered: 08/30/2012)
08/31/2012	<u>35</u>	STATEMENT REGARDING PRESENTENCE REPORT by Attorney Steven A. Russell as to defendant(s) Brent Bailey. (Russell, Steven) (Entered: 08/31/2012)
09/05/2012	<u>36</u>	TEXT ORDER granting Defendant's Motion to Restrict pursuant to the E-Government Act <u>31</u> . Ordered by Judge John M. Gerrard. (AJC,) (Entered: 09/05/2012)
09/06/2012	<u>37</u>	TENTATIVE FINDINGS OF FACT regarding Presentence Investigation Report as to defendant Brent Bailey. The defendant's motion for variance (filing 33) will be resolved at the sentencing hearing. Unless otherwise ordered, any objection challenging these tentative findings shall be resolved at sentencing. Ordered by Judge John M. Gerrard. (ADB) (Entered: 09/06/2012)
09/06/2012	<u>38</u>	TEXT ORDER changing hearing <u>location</u> . The defendant's sentencing hearing, previously set for 9/17/2012 at 11:00 AM, will be held in <u>Courtroom 2</u> , Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 09/06/2012)
09/17/2012	<u>39</u>	TEXT MINUTE ENTRY for sentencing proceedings held before Judge John M. Gerrard in Lincoln on 9/17/12 as to defendant Brent Bailey. There is no plea agreement in this case. The Court adopts the revised presentence report. The Court sustains Defendant's motion for variance. On plea of guilty to Count I of the Indictment, it is ordered the defendant is sentenced to the custody of the Bureau of Prisons for a term of 156 months, followed by a term of life for supervised release, and

		pay \$100 special assessment. Defendant shall forfeit to the Government a computer and hardware that has been previously seized. On motion of the Government, Count II of the indictment is dismissed. Defendant remanded to the custody of the USM. Appearance for Plaintiff: Steve Russell; Defendant: Michael Hansen, FPD; Probation Officer: Annalee Thomas; Courtroom Deputy: Colleen Beran; Court Reporter: digital. Time Start: 11:14 a.m.; Time Stop: 11:54 a.m.; Time in Court: 40 Minutes. (CCB) (Entered: 09/17/2012)
09/17/2012	<u>40</u>	NOTICE OF RIGHT TO APPEAL in criminal cases and counsel's acknowledgment and receipt of the 8th Circuit's Rule 27C by Attorney Michael J. Hansen as to defendant Brent Bailey. (CCB) (Entered: 09/17/2012)
09/17/2012	<u>41</u>	Ⓜ AUDIO FILE. Audio as to Defendant (1) Brent Bailey. Court Date & Time [09/17/2012 11:06:15 AM]. File Size [9452 KB]. Run Time [00:39:23]. (Sentencing Hearing). (auto-docket). (Entered: 09/17/2012)
09/17/2012	<u>42</u>	*SEALED* PRESENTENCE INVESTIGATION REPORT as to defendant(s) Brent Bailey THIS DOCKET ENTRY AND PDF DOCUMENT ARE SEALED PURSUANT TO AN ORDER OF THE COURT AND/OR LEGAL AUTHORITY GOVERNING SEALED FILINGS. ACCESS IS LIMITED ONLY TO THE COURT. (Pursley, Ronald) (Entered: 09/17/2012)
09/17/2012	<u>43</u>	*SEALED* SENTENCING RECOMMENDATIONS as to defendant(s) Brent Bailey THIS DOCKET ENTRY AND PDF DOCUMENT ARE SEALED PURSUANT TO AN ORDER OF THE COURT AND/OR LEGAL AUTHORITY GOVERNING SEALED FILINGS. ACCESS IS LIMITED ONLY TO THE COURT. (Pursley, Ronald) (Entered: 09/17/2012)
09/18/2012		(Court only) ***Terminate RESTRICTED MOTION regarding MOTION to Restrict pursuant to the E-Government Act <u>31</u> ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCED <u>33</u> as to defendant Brent Bailey (CCB) (Entered: 09/18/2012)
09/20/2012	<u>44</u>	JUDGMENT as to Brent Bailey (1), Count 1 – Defendant pleaded guilty to count I of the Indictment and is committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of one hundred fifty-six (156) months; Defendant should be given credit for time served. Defendant was arrested on 12/21/11 and came into federal custody on 3/23/12; supervised release with special conditions for a term of life; \$100.00 special assessment. Count II of the Indictment is dismissed on the motion of the United States as to this defendant only as to defendant Brent Bailey. Ordered by Judge John M. Gerrard. (4 Certified copies to USM)(ADB,) (Entered: 09/20/2012)
09/20/2012	<u>45</u>	*SEALED* SEALED STATEMENT OF REASONS for sentence regarding Judgment <u>44</u> as to defendant Brent Bailey. THIS DOCKET ENTRY AND PDF DOCUMENT ARE SEALED PURSUANT TO AN ORDER OF THE COURT AND/OR LEGAL AUTHORITY GOVERNING SEALED FILINGS. ACCESS IS LIMITED ONLY TO THE COURT. Ordered by Judge John M. Gerrard. (Copy to defendants counsel) (ADB) (Entered: 09/20/2012)
10/05/2012		(Court only) ***Terminate Release of Transcript Restrict Deadline regarding transcript <u>27</u> as to defendant(s) Brent Bailey (ADB,) (Entered: 10/05/2012)
10/10/2012	<u>46</u>	RETURN of service by US Marshal of Preliminary Order of Forfeiture on 9/27/12 upon Nebraska State Patrol as to defendant Brent Bailey. (ADB) (Entered: 10/10/2012)
10/25/2012	<u>47</u>	NOTICE of Declaration of Publication by Attorney Nancy A. Svoboda as to defendant(s) Brent Bailey. (Attachments: # <u>1</u> Notice, # <u>2</u> Advertisement Certification Report)(Svoboda, Nancy) (Entered: 10/25/2012)
10/25/2012	<u>48</u>	MOTION for Final Forfeiture by Attorney Nancy A. Svoboda as to defendant(s) Brent Bailey. (Svoboda, Nancy) (Entered: 10/25/2012)
10/25/2012	<u>49</u>	FINAL ORDER OF FORFEITURE granting <u>48</u> Motion for Final Forfeiture as to Brent Bailey (1). All right, title, and interest in and to the following property, held by any person or entity, are hereby forever barred and foreclosed: One Dell Desktop

		computer, Service Tag HHSYPN1, containing one Seagate 500 GB hard drive, serial number 5VMHYBZS. The property described above shall be, and the same are, hereby forfeited to the United States of America. The United States is directed to dispose of the above property in accordance with law. Ordered by Judge John M. Gerrard. (1 Certified copy to USM)(ADB) (Entered: 10/25/2012)
10/07/2013	<u>50</u>	MOTION TO VACATE UNDER 28 USC 2255 regarding Judgment <u>44</u> as to defendant Brent Bailey. Copy mailed to defendant at FCI-PETERSBURG MEDIUM, Inmate Mail/Parcels, P.O. Box 90043, Petersburg VA 23804. (JSF) Modified event type from Notice of Appeal to 2255 Motion on 10/18/2013 per order <u>53</u> (ADB,). Civil case 4:13cv3180 opened. (Entered: 10/07/2013)
10/07/2013	<u>51</u>	COPY OF UNTIMELY APPEAL MEMO prepared by deputy clerk and sent to Judge Gerrard regarding Notice of Appeal to USCA <u>50</u> as to defendant Brent Bailey. (JSF) (Entered: 10/07/2013)
10/08/2013	<u>52</u>	COPY OF IFP MEMO prepared by Deputy Clerk and sent to District Judge John M. Gerrard regarding Notice of Appeal to USCA <u>50</u> as to defendant Brent Bailey. (TCL) (Entered: 10/08/2013)
10/18/2013	<u>53</u>	MEMORANDUM AND ORDER that the Clerk of the Court shall redesignate filing <u>50</u> as a § 2255 motion, and accordingly, shall not (at this time) process an appeal to the United States Court of Appeals for the Eighth Circuit on the basis of Bailey's purported notice of appeal. As stated above, on or before November 20, 2013, Bailey shall either: a. inform the Court that he wishes to proceed with his motion as submitted, and construed as a § 2255 motion; b. inform the Court that he wishes to proceed with his filing as a notice of appeal only; c. withdraw the current motion; or d. submit an amended motion. The Clerk of the Court is directed to set a case management deadline with the following text: November 20, 2013: Check for Bailey's response regarding conversion to § 2255 as to defendant Brent Bailey. Ordered by Judge John M. Gerrard. (Copy mailed to pro se party with a 2255 Motion Form)(ADB) (Entered: 10/18/2013)
10/18/2013		(Court only) Set response Deadline to 11/20/13 regarding MOTION to Vacate under 28 U.S.C. 2255 <u>50</u> .(), ***Appeal Deadlines Terminated as to defendant Brent Bailey (ADB,) (Entered: 10/18/2013)
10/18/2013		(Court only) ***per order <u>53</u> , Set 2255 Motion and Stat-2255 flags/Clear Appeal Flag as to defendant(s) Brent Bailey (ADB,) (Entered: 10/18/2013)
10/18/2013		(Court only) ***Set 2255 Motion Flag as to defendant(s) Brent Bailey (ADB,) (Entered: 10/18/2013)
11/01/2013	<u>54</u>	Mail Returned as Undeliverable addressed to BRENT BAILEY, FCI PETERSBURG MEDIUM, PO BOX 90043, PETERSBURG, VA 23804 regarding Memorandum and Order <u>53</u> Mail resent to FCI PETERSBURG MEDIUM FEDERAL CORRECTIONAL INSTITUTION, P.O. BOX 1000, PETERSBURG, VA 23804 as to defendant Brent Bailey. (MLF,) (Entered: 11/01/2013)
11/08/2013	<u>55</u>	AMENDED MOTION to Vacate under 28 U.S.C. 2255 as to defendant Brent Bailey. (ADB) Modified docet text on 11/8/2013 to remove reference to new civil case 4:13-cv-03189-JMG being opened – civil case opened in error as this is an amended motion 2255. (ADB,). (Entered: 11/08/2013)
11/12/2013		(Court only) ***Remark – Non-Public: regarding AMENDED MOTION to Vacate under 28 U.S.C. 2255 <u>55</u> filed by Brent Bailey. Original certificates attached to amended motion were mailed back to defendant Brent Bailey per chambers. (CCB) (Entered: 11/12/2013)
12/19/2013	<u>56</u>	MEMORANDUM AND ORDER as to defendant Brent Bailey (1). Bailey's § 2255 motion (filing <u>50</u> as amended by filing <u>55</u>) is dismissed. A separate judgment will be entered. The Clerk is directed to mail a copy of this memorandum and order to Bailey at his last known address. Ordered by Judge John M. Gerrard. (Copy mailed to pro se party)(GJG) (Entered: 12/19/2013)
12/19/2013	<u>57</u>	JUDGMENT as to defendant Brent Bailey. The Court has completed its initial review of the defendant's motion to vacate under 28 U.S.C. § 2255 (filing <u>50</u> as amended by filing <u>55</u>) and finds that the motion should be summarily dismissed. The Clerk of the

		Court is directed to mail a copy of this Judgment to the defendant at his last known address. Ordered by Judge John M. Gerrard. (Copy mailed to pro se party)(GJG) (Entered: 12/19/2013)
07/07/2014	<u>58</u>	NOTICE OF APPEAL regarding Memorandum and Order <u>56</u> and Judgment <u>57</u> as to defendant Brent Bailey. Copy mailed to defendant at FCI-PETERSBURG LOW, Inmate Mail/Parcels, P.O. Box 1000, Petersburg, VA 23804. (Attachments: # <u>1</u> Duplicate Copy, # <u>2</u> Transmittal Letter from the 8th Circuit) (JSF) (Part 1 of 2) (Entered: 07/14/2014)
07/07/2014		(Part 2 of 2) MOTION for Permission to Late File/Untimely Notice of Appeal regarding <u>58</u> Notice of Appeal to USCA as to defendant Brent Bailey. (JSF) Modified on 7/14/2014 to correct filed date (JSF). (Entered: 07/14/2014)
07/07/2014	<u>59</u>	MOTION for Leave to Appeal In Forma Pauperis as to defendant Brent Bailey. (Attachments: # <u>1</u> Duplicate Copy) (JSF) Modified on 7/14/2014 to correct filed date (JSF). (Entered: 07/14/2014)
07/07/2014	<u>60</u>	MOTION to Appoint Counsel as to defendant Brent Bailey. (Attachments: # <u>1</u> Duplicate Copy) (JSF) (Entered: 07/14/2014)
07/07/2014	<u>61</u>	MOTION for Bond as to defendant Brent Bailey. (Attachments: # <u>1</u> Duplicate Copy) (JSF) (Entered: 07/14/2014)
07/14/2014		(Court only) ***Motions No Longer Referred MOTION for Permission to Late File/Untimely Notice of Appeal regarding <u>58</u> Notice of Appeal to USCA., MOTION for Bond <u>61</u> , MOTION for Leave to Appeal In Forma Pauperis <u>59</u> , MOTION to Appoint Counsel <u>60</u> as to defendant(s) Brent Bailey (Zwart, Cheryl) (Entered: 07/14/2014)
08/07/2014	<u>62</u>	LETTER as to defendant Brent Bailey. (ADB) (Entered: 08/08/2014)
09/16/2014	<u>63</u>	MEMORANDUM AND ORDER that the Court finds that Bailey is not entitled to proceed in forma pauperis on appeal. Bailey's motion to proceed in forma pauperis <u>59</u> is denied. The Clerk of the Court is directed to forward a copy of this memorandum and order to the Court of Appeals for the Eighth Circuit, and to mail a copy to the defendant at his address of record. Bailey's motion to appoint counsel and motion for a bond <u>60</u> and <u>61</u> are denied as moot as to Brent Bailey (1). Ordered by Judge John M. Gerrard. (Copy mailed to pro se party and as directed) (JSF) (Entered: 09/16/2014)
09/16/2014	<u>64</u>	NOTIFICATION OF APPEAL AND NOA SUPPLEMENT by Clerk to USCA regarding Notice of Appeal to USCA <u>58</u> , Memorandum and Order <u>56</u> , Judgment <u>57</u> and Memorandum and Order denying IFP <u>63</u> . Notice of Appeal filed on 7/7/14 by Defendant Brent Bailey. (JSF) (Entered: 09/16/2014)
09/18/2014	<u>65</u>	COPY of Order from USCA – 8th Circuit (14–3129) that if appellant does not pay the \$505 appellate filing fee or move for IFP status by October 15, 2014, this appeal will be dismissed for failure to prosecute without further notice pay the fee as to defendant Brent Bailey. (ADB) (Entered: 09/19/2014)
10/20/2014	<u>66</u>	MOTION to Extend time to file a response brief regarding Order <u>63</u> as to defendant Brent Bailey. (ADB) (Entered: 10/20/2014)
10/20/2014	<u>67</u>	MOTION for Leave to Appeal In Forma Pauperis as to defendant Brent Bailey. (ADB) (Entered: 10/20/2014)
10/20/2014	<u>68</u>	PRISONER ACCOUNT STATEMENT by Defendant Brent Bailey. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (ADB) (Entered: 10/20/2014)
10/20/2014		(Court only) ***Motions No Longer Referred MOTION to Extend regarding Order on Motion for Miscellaneous Relief, Order on Motion for Leave to Appeal In Forma Pauperis, Order on Motion to Appoint Counsel <u>63</u> <u>66</u> , MOTION for Leave to Appeal In Forma Pauperis <u>67</u> as to defendant Brent Bailey. (JAB) (Entered: 10/20/2014)

10/30/2014	<u>69</u>	MEMORANDUM and ORDER denying as moot, <u>66</u> Motion to Extend as to Brent Bailey; denying as moot, <u>67</u> Motion for Leave to Appeal In Forma Pauperis as to Brent Bailey. The Clerk of the Court is directed to mail filings 66, 67, and 68 to Eighth Circuit Court of Appeals, along with a copy of this memorandum and order. The Clerk of the Court is also directed to mail a copy of this memorandum and order to the defendant at this address of record. The defendant's motions (filings 66 and 67) are denied as moot. Ordered by Judge John M. Gerrard. (Copies mailed as directed)(SLP) (Entered: 10/30/2014)
02/02/2015	<u>91</u>	Judgment from USCA – 8th Circuit (case number 14–3129) that the court has carefully reviewed the original file of the United States District Court and orders that this appeal be dismissed as untimely. The appellant's motion for leave to proceed on appeal in forma pauperis is denied as moot as to defendant Brent Bailey. (Attachments: # <u>1</u> Transmittal Letter) (JSF) (Entered: 06/11/2015)
02/26/2015	<u>70</u>	MOTION for Copies as to defendant Brent Bailey. (NMW) (Entered: 02/27/2015)
03/04/2015		(Court only) ***Motions No Longer Referred MOTION for Copies <u>70</u> as to defendant(s) Brent Bailey (Zwart, Cheryl) (Entered: 03/04/2015)
03/11/2015	<u>71</u>	MEMORANDUM AND ORDER as to defendant Brent Bailey. Bailey's motion for copies (filing <u>70</u>) is denied. Ordered by Judge John M. Gerrard. (Copy mailed to pro se party)(GJG) (Entered: 03/11/2015)
03/31/2015	<u>72</u>	MANDATE from USCA – 8th Circuit (case number 14–3129) that in accordance with the judgment of 02/02/2015, and pursuant to the provisions of Federal Rule of Appellate Procedure 41(a), the formal mandate is hereby issued in the above– styled matter as to defendant Brent Bailey. (Copy mailed to pro se party) (JSF) (Entered: 03/31/2015)
05/04/2015	<u>73</u>	NOTICE OF APPEAL regarding Judgment <u>44</u> as to defendant Brent Bailey. Copy mailed to defendant at FCI–PETERSBURG LOW, Inmate Mail/Parcels, P.O. Box 1000, Petersburg, VA 23804. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>74</u>	MOTION to Compel as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>75</u>	AFFIDAVIT of defendant Brent Scott Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>76</u>	MOTION for Mental Examination as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>77</u>	AMENDED MOTION for Mental Examination as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>78</u>	MOTION for Release as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>79</u>	MOTION for Speedy Disposition as to defendant Brent Bailey. (Attachments: # <u>1</u> Part 2) (JSF) (Entered: 05/07/2015)
05/04/2015	<u>80</u>	MOTION to Disqualify as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>81</u>	STRICKEN – MOTION to File Notice of Insanity as to defendant Brent Bailey. (JSF) Stricken on 5/11/2015 per order 89 (JSF). (Entered: 05/07/2015)
05/04/2015	<u>82</u>	NOTICE of Insanity as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>83</u>	MOTION for Leave to Appeal In Forma Pauperis as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>84</u>	MOTION to Appoint Counsel as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>85</u>	MOTION to Extend Time to File Notice of Appeal out of Time as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>86</u>	MOTION to Suppress as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>87</u>	MOTION to Return Property as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)

05/04/2015	<u>88</u>	Order for Transcript of Proceedings as to defendant Brent Bailey. (JSF) (Entered: 05/07/2015)
05/04/2015	<u>90</u>	MOTION for Permission to File Late Notice of Insantiy Defense as to defendant Brent Bailey. (JSF) (Entered: 05/11/2015)
05/07/2015		(Court only) ***Motions No Longer Referred MOTION to Return Property <u>87</u> , MOTION to Extend <u>85</u> , MOTION to File Notice of Insanity <u>81</u> , MOTION to Appoint Counsel <u>84</u> , MOTION for Release <u>78</u> , MOTION to Disqualify <u>80</u> , MOTION to Suppress <u>86</u> , MOTION for Leave to Appeal In Forma Pauperis <u>83</u> , MOTION for Medical/Mental Examination <u>76</u> , MOTION Speedy Disposition <u>79</u> , MOTION to Compel <u>74</u> , MOTION for Medical/Mental Examination <u>77</u> as to defendant(s) Brent Bailey (Zwart, Cheryl) (Entered: 05/07/2015)
05/11/2015	89	TEXT STRIKE ORDER that the Motion for Permission to File Notice of Insanity <u>81</u> is stricken for the following reason: incorrect PDF document attached. Ordered by Judge John M. Gerrard. (Copy mailed to pro se party) (JSF) (Entered: 05/11/2015)
05/11/2015		(Court only) ***Motions No Longer Referred MOTION for Permission to File Late Notice of Insantiy Defense <u>90</u> as to defendant(s) Brent Bailey (Zwart, Cheryl) (Entered: 05/11/2015)
06/19/2015	<u>92</u>	CORRESPONDENCE from defendant Brent Bailey (filed at the direction of chambers). (CCB) (Entered: 06/19/2015)